

PATENT

Docket No. 727-006c

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Naoe et al.

Serial No. : TBA

Group Art Unit: TBA

Filed : November 5, 2003

For : SEMICONDUCTOR ELECTRO-ABSORPTION MODULATOR...

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop DD  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

A:

2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.

3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.60, U.S. Serial No. \_\_\_\_\_ filed \_\_\_\_\_.

4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.

☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

☐ A check in the amount of \$240.00 is enclosed in payment of the fee.

☐ Charge the fee to Deposit Account No. 19-2825. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7. ☐ A fee is due under 37 C.F.R. §1.17(I)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(I)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(I)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
- c. The fee due under 37 C.F.R. §1.17(I)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56<sup>o</sup> more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(I)(1).

[ ] Charge the fee due under 37 C.F.R. §1.17(I)(1) to Deposit Account No. \_\_\_\_\_ . Order No. \_\_\_\_\_  
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2825, Order No. 727-006C.

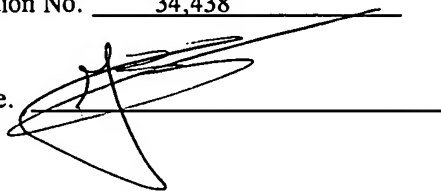
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

SOFER & HAROUN, L.L.P.

By: Joseph Sofer, Esq.

Registration No. 34,438

Signature. 

Dated: November 5, 2003

Mailing Address:

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**Sheet 1 of 1**

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE</b> <b>(Rev.2-3) PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b> 727-006c	<b>SERIAL NO.</b> TBA
	<b>APPLICANT</b> Naoe et al.	
	<b>FILING DATE</b> November 5, 2003	<b>GROUP</b> TBA

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5 6 5 7 1 4 8	08/12/97	Feuer et al.	359	263	May 7, 1996
	5 8 9 1 7 4 8	04/06/99	Sakata	438	31	May 13, 1997
	5 9 8 7 0 4 6	11/16/99	Kobayashi et al.	372	45	April 2, 1997
	5 7 9 8 8 5 6	08/25/98	Suzuki et al.	359	181	November 16, 1994
	5 3 9 4 2 6 0	02/28/95	Suzuki et al.	359	158	January 22, 1993

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 7 4 1 3 1 6	11/06/96	Europe	1	015	Yes	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	European Search Report Application Number EP 00 10 4381 dated July 31, 2000.
	"Integrated Laser/Modulators for High Capacity WDM Transmission Systems" by Tsang et al. - AT&T Bell Laboratories, Murray Hill, NJ
	"Monolithic Integration of Multiple-Quantum-Well Lasers and Modulators for High-Speed Transmission" by Ramdane et al.

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.